

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

PHI CAM LUONG,

3:12-cv-01220-HU

Plaintiff,

ORDER

v.

U.S. BANK NATIONAL ASSOCIATION,

Defendant.

BROWN, Judge.

Magistrate Judge Dennis J. Hubel issued Findings and Recommendation (#33) on June 20, 2013, in which he recommends this Court grant Defendant's Motion (#27) to Dismiss pursuant to Federal Rule of Civil Procedure 12(b)(6). Plaintiff filed timely Objections to the Findings and Recommendation. The matter is now before this Court pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b).

When any party objects to any portion of the Magistrate Judge's Findings and Recommendation, the district court must make a *de novo* determination of that portion of the Magistrate Judge's

report. 28 U.S.C. § 636(b)(1). See also *Dawson v. Marshall*, 561 F.3d 930, 932 (9th Cir. 2009); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc).

This Court has carefully considered Plaintiff's arguments and concludes they do not provide a basis to modify the Findings and Recommendation. The Court also has reviewed the pertinent portions of the record *de novo* and does not find any error in the Magistrate Judge's Findings.

CONCLUSION

The Court **ADOPTS** Magistrate Judge Hubel's Findings and Recommendation (#33) and, therefore, **GRANTS** Defendant's Motion (#27) to Dismiss. Accordingly, the Court **DISMISSES** this matter **with prejudice**.

IT IS SO ORDERED.

DATED this 14th day of August, 2013.

/s/ Anna J. Brown

ANNA J. BROWN
United States District Judge